

**IN THE CLAIMS:**

Claims 1-10 Canceled

11. (Previously Presented) An earth working scraper comprising:
- a scraper blade for scraping earth from a ground surface;
  - a receiving area located proximate the blade for receiving earth scraped from the ground surface by the blade;
  - a rotatable axle for providing movement of the scraper to allow the blade to scrape the earth, the axle connected with respect to the blade and receiving area; and
  - a track apparatus connected with respect to the rotatable axle, the track apparatus including:
    - a continuous flexible track having an upper length and a ground-engaging lower length and including an inner surface;
    - an axle wheel mountable to the rotatable axle for rotational movement therewith, the axle wheel engaging the inner surface of the flexible track along the upper length to drive the flexible track in response to rotation of the axle; and
    - a frame for mounting the axle wheel,
- wherein the scraper has a first end adapted for attachment to a second scraper and a second end including the rotatable axle, the second scraper being independently powered or towed by a prime mover.

Claims 12-18 Canceled

19. (Previously Presented) An earth working scraper comprising:
- a scraper blade for scraping earth from a ground surface;
  - a receiving area located proximate the blade for receiving earth scraped from the

ground surface by the blade;

a rotatable axle for providing movement of the scraper to allow the blade to scrape the earth, the axle connected with respect to the blade and receiving area; and

a track apparatus connected with respect to the rotatable axle, the track apparatus including:

a continuous flexible track having an upper length and a ground-engaging lower length and including an inner surface;

an axle wheel mountable to the rotatable axle for rotational movement therewith, the axle wheel engaging the inner surface of the flexible track along the upper length to drive the flexible track in response to rotation of the axle;

a frame for mounting the axle wheel;

an idler assembly having an idler wheel engaging the track, the idler assembly being moveable with respect to the frame; and

a tensioning device for maintaining tension on the continuous flexible track, the tensioning device comprising:

a main-cylinder housing interconnected to one of the frame and the idler assembly, the housing extending along an axis and defining a main chamber therein;

a main piston having a first end operatively connected to the other of the frame and the idler assembly and a second end slidably received within the chamber, the piston movable between a retracted position and an extended position;

a primary dampening structure for resisting movement of the piston toward the retracted position for a first predetermined axial length; and

a secondary dampening structure for resisting movement of the piston toward the retracted position for a further axial length beyond the first predetermined axial length, the secondary dampening structure resisting movement of the piston independent of the primary dampening structure.

20. (original) The scraper of claim 19 wherein the primary dampening structure includes:  
a primary cylinder extending along an axis and defining a primary chamber therein; and  
a primary piston slidably received in the primary cylinder and movable axially between a first and second position, the primary piston dividing the primary chamber into a first portion for receiving a pressurized gas and a second portion.
21. (original) The scraper of claim 20 wherein the secondary dampening structure includes:  
a secondary cylinder extending along an axis and defining a secondary chamber therein;  
and  
a secondary piston slidably received in the secondary cylinder and movable axially between a first and second position, the secondary piston dividing the secondary chamber into a first portion for receiving a pressurized gas and a second portion; whereby the conduit interconnects the main chamber and the second portion of the secondary chamber and wherein the hydraulic fluid is disposed within the second portion of the secondary chamber.
22. (original) The scraper of claim 21 wherein the pressure of the pressurized gas in the first portion of the secondary chamber is greater than the pressure of the pressurized gas in the first portion of the primary chamber.
23. (original) The scraper of claim 22 wherein the primary and secondary dampening structures operate to progressively increase resistance to movement of the idler wheel toward the deflected position as the idler wheel moves toward the deflected position.
24. (original) The scraper of claim 19 wherein the dampening structures are mounted at a position remote from the housing and piston.

Claims 25-38 Canceled

39. (Previously Presented) An earth scraper comprising:
- a scraper blade for scraping earth from a ground surface;
  - a receptacle for receiving the earth scraped by the scraper blade;
  - an axle for carrying the scraper blade and receptacle;
  - a rotatable axle wheel connected to the axle and having a plurality of spaced-apart drive members along a circumferential edge thereof;
  - a track having lugs formed along an inner surface thereof, the lugs being configured for meshing engagement with the drive members of the wheel;
  - an idler wheel tensioned against the inner surface of the track; and
  - a tensioning device for applying tensioning of the idler wheel against the inner surface of the track, the tensioning device including primary and secondary dampening chambers, the primary dampening chamber including a limiter operative to limit a first range of dampening of the tensioning.

Claims 40-41      Canceled

42. (Currently Amended) ~~The~~ An earth working scraper of claim 41 comprising:
- a pan structured for being lowered into or raised out of contact with a ground surface, the pan having an interior portion, the pan comprising:
    - a scraper blade structured for scraping earth from the ground surface; and
    - a receiving bin formed in the interior portion adjacent to the scraper blade, the receiving bin for receiving and holding a large volume of the earth scraped by the scraper blade;
  - an axle for carrying the pan;
  - a rotatable axle wheel connected to the axle and having a plurality of spaced-apart drive members along a circumferential edge thereof; and
  - a track having lugs formed along an inner surface thereof, the lugs being configured for meshing engagement with the drive members of the wheel,

wherein the pan further comprises a selectively openable door disposed proximate the scraper blade.

Claims 43-44     Canceled

45.     (Currently Amended)     ~~The~~ An earth working scraper of claim 44 comprising:  
         a pan structured for being lowered into or raised out of contact with a ground surface, the  
pan having an interior portion, the pan comprising:  
         a scraper blade structured for scraping earth from the ground surface; and  
         a receiving bin formed in the interior portion adjacent to the scraper blade, the  
receiving bin for receiving and holding a large volume of the earth scraped by the scraper blade;  
         an axle for carrying the pan;  
         a rotatable axle wheel connected to the axle and having a plurality of spaced-apart drive  
members along a circumferential edge thereof; and  
         a track having lugs formed along an inner surface thereof, the lugs being configured for  
meshing engagement with the drive members of the wheel,

         wherein the primary dampening chamber includes a limiter operative to limit a first range of dampening of the tensioning.

Claim 46             Canceled

**Please add the following new claims:**

--47. (New) An earth working scraper comprising:

a scraper pan structured for being lowered into or raised out of contact with a ground surface, the scraper pan having an earth-holding area formed as a bin and having a scraper blade, the bin having an essentially horizontal bottom surface and an opening in a wall thereof, the scraper blade being incorporated into the essentially horizontal bottom surface of the bin and being disposed adjacent the opening in the wall of the bin;

an axle adapted for carrying the scraper pan;

a rotatable axle wheel connected to the axle and having a plurality of spaced-apart drive members along a circumferential edge thereof; and

a track having lugs formed along an inner surface thereof, the lugs being configured for meshing engagement with the drive members of the wheel.

48. (New) The earth working scraper of claim 47, wherein the pan further comprises a selectively openable door disposed proximate the scraper blade.

49. (New) The earth scraper of claim 47, further comprising an idler wheel tensioned against the inner surface of the track.

50. (New) The earth scraper of claim 49, further comprising a tensioning device for applying tensioning of the idler wheel against the inner surface of the track, the tensioning device including primary and secondary dampening chambers.

51. (New) The earth scraper of claim 50 wherein the primary dampening chamber includes a limiter operative to limit a first range of dampening of the tensioning.--